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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/527,927 03/17/00 LEWIS

W DN 3564

001688 TM02/0410
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EXAMINER

PARISI, J

ART UNIT	PAPER NUMBER
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2166

DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

RE

Office Action Summary	Application No.	Applicant(s)
	109/527,927	LEWIS, WOODSON C.
	Examiner Joe Parisi	Art Unit 2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 17 March 2000.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 17 March 2000 is/are objected to by the Examiner.

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) Notice of References Cited (PTO-892)

16) Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.

18) Interview Summary (PTO-413) Paper No(s). _____.

19) Notice of Informal Patent Application (PTO-152)

20) Other: _____.

DETAILED ACTION

Status of Claims

1. The claims currently pending before this office are numbers 1-20 as filed in applicant's initial correspondence filed on March 17, 2000. Claims 1-20 are reviewed in this Office Action.

Information Disclosure Statement

2. The examiner acknowledges receipt of an Information Disclosure Statement. This statement was received on August 17, 2000 and is listed as paper number 4 on the application file wrapper. The prior art submitted was considered in this Office Action.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "22" and "40" have both been used to designate the admission ticket. Correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1, 3, and 5, 6 are rejected under 35 U.S.C. 102(a) as being anticipated by Ticketmaster.com as described in the attached article entitled, "Site to Let Buyers Print Tickets at

Home" from the January 26, 2000, USA Today Tech Review (hereinafter referred to as "Ticketmaster").

The Ticketmaster article describes an electronic ticketing and validation system whereby online ticket buyers download and print their own ticket (see page 1, paragraph 1). The ticket buyers access the Internet and buy tickets on-line (see page 1, paragraph 4). After downloading the ticket, buyers print the tickets from their computers (see page 1, paragraph 2). To redeem the ticket at the event, a bar code scanner is used at the gate to read a portion of the ticket (unique identifier code) and validate the ticket prior to allowing the buyer admission to the event (see page 1, paragraph 2).

As such, claims 1, 3, and 5, 6 are rejected.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ticketmaster.com in the attached article entitled, "Site to Let Buyers Print Tickets at Home" from the January 26, 2000, USA Today Tech Review (hereinafter referred to as "Ticketmaster") as described above with regard to claim 1 and further in view of the attached press release by Allen Bush entitled,

“3Com Announces the Palm VII connected Organizer, The First Handheld Solution for Out-of-the-Box Wireless Internet Access” from December 2, 1998 (hereinafter referred to as “Bush”).

With regard to claim 2, the Ticketmaster article teaches the use of a computer with which to access, pay, and generate the ticket (see page 1, paragraphs 1,2, 4). The Tickermaster article does not explicitly disclose the use of a hand-held computer device with which to perform these tasks. However, Bush teaches the use of a Palm-sized computer that allows Internet access and complete browsing capabilities (see page 1, paragraph 1). Further, the Palm VII allows for web clipping to a variety of sites, including Tickermaster (see page 1, paragraph 3). One skilled in the art would be motivated to provide access to the Ticketmaster ticketing system (and thereby utilize a hand held device as the computer of choice) through a hand held computer for the convenience of the user and to allow portability. With the hand held system, a user may print their ticket from any printer regardless of location and not be constrained by their home system or home telephone access accounts. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to incorporate the hand held computer device as in the Bush article in the Ticketmaster system.

As such, claim 2 is rejected.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ticketmaster.com in the attached article entitled, “Site to Let Buyers Print Tickets at Home” from the January 26, 2000, USA Today Tech Review (hereinafter referred to as “Ticketmaster”) as described above with regard to claim 1 and further in view of the attached web page timeline distributed by the

Uniform Code Council, Inc. depicting ID Numbers and Bar Codes over the years (hereinafter referred to as "UCC Timeline").

With regard to claim 4, the Ticketmaster article teaches the use of a computer with which to access, pay, and generate the ticket (see page 1, paragraphs 1,2, 4). The Tickermaster article does not explicitly disclose the use of a universal product code as the unique identifier with which to validate the ticket. However, the UCC Timeline shows that that Universal Product Code has been the industry standard to identify and validate products since 1973. It is further well known in the art of product identification and validation that Universal Product Codes (UPC) are used to validate a wide array of items from supermarket stock to printed matter to Patent Application file wrappers at the United States Patent and Trademark Office. One skilled in the art would be motivated to use the UPC since it is the most widely known and employed standard for data capture and automated identification (see page 1, paragraph 1) and the widest array of printing and reading equipment is available to recognize these codes (see page 3, January 1997 heading). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to incorporate a UPC as the unique identifier code in the Ticketmaster system. Therefore, claim 4 is rejected.

9. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ticketmaster.com in the attached article entitled, "Site to Let Buyers Print Tickets at Home" from the January 26, 2000, USA Today Tech Review (hereinafter referred to as "Ticketmaster") as described above with regard to claim 1 and further in view of the attached web page timeline

distributed by the Washington Metropolitan Area Transit Authority depicting use of farecards and other highlights in their twenty-five year history (hereinafter referred to as "Metro").

With regard to claims 7 and 8, the Ticketmaster article teaches the use of a computer with which to access, pay, and generate the ticket (see page 1, paragraphs 1,2, 4). The Tickermaster article does not explicitly disclose the use of a paper ticket with a magnetic strip having a code encoded thereon. However, the use of paper tickets with similar magnetic strips with coded information encoded thereon is well known in the art. An example of these types of tickets is found in the Washington Metropolitan Area Transit Authority (Metro) system. The farecard system used in the Metro utilizes a paper card with fare information stored on a magnetic strip (see page 1, farecard bullet). These farecards have been used by Metro since 1977 (see Metro Timeline, July 1, 1977). One skilled in the art would be motivated to use the paper tickets with a magnetic strip encoded to ensure proper entry and to prevent multiple use of the ticket. The magnetic media is viable alternative to the UPC or barcode systems. Further motivation would be to employ the use of automatic turnstile systems that can read the magnetic strip and allow entry/egress without physical human intervention. This would expedite the entry/egress process. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to incorporate a paper ticket with a magnetic strip having a coded encoded therein as a means of admission in the Ticketmaster system.

Therefore, claims 7 and 8 are rejected.

10. Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ticketmaster.com in the attached article entitled, "Site to Let Buyers Print Tickets at Home"

from the January 26, 2000, USA Today Tech Review (hereinafter referred to as "Ticketmaster") as described above with regard to claim 1 and further in view of the attached web page timeline of press releases distributed by the TeamCard depicting use of smart cards for season tickets to sporting events (hereinafter referred to as "TeamCard").

With regard to claim 9, the Ticketmaster article teaches the use of a computer with which to access, pay, and generate the ticket (see page 1, paragraphs 1,2, 4). The Tickermaster article does not explicitly disclose the use of a season pass to gain entrance to particular events. However, TeamCard teaches the use of smart card technology to replace the traditional season-ticket booklet. The card itself becomes the season ticket (see page 1, season ticket replacement heading). The TeamCard was introduced in October 1997 (see TeamCard timeline) and has space on the card for co-branding, event, and sponsorship information (see page 2, season ticket replacement heading). One skilled in the art would be motivated to use the smart card season tickets as a substitute for paper tickets to reduce ticketing costs, ensure security, and expedite entry and egress into the event forum. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to incorporate a smart card season ticket as described by TeamCard in the Ticketmaster system.

Therefore, claims 9 and 17 are rejected.

Claim 10 is substantially similar to claim 3 with a season pass replacing the individual event ticket. As such, it is rejected for similar reasons.

Claim 11 is substantially similar to claims 3 and 6 with a season pass replacing the individual event ticket. As such, it is rejected for similar reasons.

Claim 12 is substantially similar to claim 7 with a season pass replacing the individual event ticket. As such, it is rejected for similar reasons.

Claim 13 is substantially similar to claim 8 with a season pass replacing the individual event ticket. As such, it is rejected for similar reasons.

Claim 14 is substantially similar to claims 3 and 10 and is rejected for similar reasons.

Claim 15 is substantially similar to claims 8 and 13 and is rejected for similar reasons.

Claim 16 is substantially similar to claims 8, 13, and 15 and is rejected for similar reasons.

Claims 18 and 19 are substantially similar to claim 1 in method form. As such, it is rejected for similar reasons.

Claim 20 is substantially similar to claim 9 in method form. As such, it is rejected for similar reasons.

Prior Art of Record

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. United States Patent Number 5,732,398 (Tagawa) 24 March 1998. A self-service system for selling travel related products and services is taught whereby the customer inputs information into a computer at a kiosk. The inputted information includes flight and cruise itineraries, accommodations, and other products and services. Payment is made at the kiosk and a ticket with barcode is issued at the kiosk.
- b. United States Patent Number 5,953,705 (Oneda) 14 September 1999. A ticketless system for issuance of an airline ticket or other travel or entertainment event is taught. The issue is performed by using a smart card.
- c. United States Patent Number 6,064,979 (Perkowski) 16 May 2000. A method and system for finding product and service information on the Internet by using Universal Product Codes whereby the purchase of the product is completed and validated using scanning technology at personal computer workstations.
- d. Burford, Dennis. "Secure Electronic Ticketing on the Internet," *University of Cape Town Department of Computer Science dissertation*. May 4, 1998. pp. 1-28. An example of secure Internet commerce is taught including the purchase railway passes, virtual mall products and services, movie tickets, sporting events, concerts, and room accommodations.

- e. "New Ticketmaster.com Electronic Ticketing Service Will Give Online Consumers the Edge by Allowing Them to Purchase, Print Out Ticketmaster Tickets at Home," *PRN Newswire*. January 25, 2000. pp. 1-3. The introduction of Ticketmaster customer-printed tickets from their home personal computers is taught.
- f. Rundle, Rhonda. "New Battlefield For E-Tickets: Home Printers," *Wall Street Journal*. February 17, 2000. pp. 1-3. A discussion of printing valid tickets from personal computers is presented with particular attention to Cirque du Soleil. Cirque du Soleil introduced printing valid tickets from home personal computers in November 1999 (see page 2, paragraph 2).
- g. Levere, Jane. "Alaska Airlines Plans to Offer a System That Allows Passengers to Check in on the Internet," *New York Times*, September 29, 1999. p. 12. A discussion is presented of the Alaska Airlines systems whereby travelers make their reservations via the Internet then print out their boarding pass on their own computer printer.
- h. United States Patent Number 6,161,134 (Wang et al.) 12 December 2000. The use of a network appliance such as a palm sized computer or ethernet phone linking the user to the Internet is taught.
- i. Levy, Doug. "Now Boarding via Cyberspace; Airlines Take High-Tech Route to Speed Check-in," *USA Today*. October 18, 1999. p. 4B. Alaska Airlines printing of boarding passes is discussed with particular attention to the bar code reader used to validate the printed ticket.

j. Weisbecker, Lee. "Local E-Firm's 'Got the Ticket,'" Raleigh Business Journal. April 3, 2000. pp. 1-2. Raleigh firm etix.com and the printing of tickets at home via the Internet is discussed.

k. World Patent Number WO 94/27258 (Rhoades et al.) 24 November 1994. A telephone system for remotely purchasing tickets and ordering products is taught.

l. World Patent Number WO 99/60489 (Williams et al.) 25 November 1999. A method and system for facilitating the sale and resale of tickets is taught. A method of seat selection, payment, and ticket scanning and validation is further taught.

Information Regarding Communication With the PTO

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Parisi whose telephone number is 703-308-7808. The examiner can normally be reached on Monday through Thursday from 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-5140.


Joe Parisi
April 3, 2001


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
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